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VIA ECF

Honorable Arun Subramanian
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

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March 22, 2024

SUBJ.: *In Re: The Matter of the Application of Litasco SA for an Order to Take Discovery Pursuant to 28 USC 1782* (No. 23-MC-00354 [AS])

Dear Judge Subramanian:

We are counsel for the Applicant, Litasco SA (“**Litasco**”), in the above-referenced miscellaneous proceeding. We submit this correspondence pursuant to the Court’s Order, entered March 18, 2024 (Dkt. 19), which called for “a status report indicating whether this matter can be closed.”

On December 15, 2023, the Court issued a Memorandum Opinion and Order (Dkt. 18) which, in pertinent part, provided that:

The Court grants Litasco’s application with respect to respondents Clearing House Payments Company, Citibank N.A., Deutsche Bank Trust Co. Americas, Standard Chartered Bank, Bank of New York Mellon, HSBC Bank USA, N.A., and JPMorgan Chase Bank, N.A. only. It is otherwise denied. Litasco may serve the subpoena included in Dkt. 14 on the respondents identified in this paragraph subject to a modified timeframe of April 29, 2021 to the present. Further, prior to service, Litasco will provide the foreign defendants’ solicitors with this order and the subpoena to be served. The Court will hear objections and motions to quash from the respondents or the foreign defendants if appropriate and timely raised.

Id. At 4.

On December 22, 2023, we provided Candey Limited and Withers LLP (as solicitors for the foreign defendants) with copies of the Order entered December 15, 2023 and of the subpoenas to be served

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on the seven, aforementioned respondents. This was done by hand-delivery plus email. We subsequently arranged for service of the subpoenas on the respondents between December 26, 2023 and January 2, 2024. Communications with the various respondents followed. Two have completed their respective productions. A third is expected to do so in the coming week. A fourth has projected production during mid-April. As to the remaining respondents, we have effective lines of communication with two and are attempting to identify the best line of communication with one other.

The below signed attorney does not anticipate that there will be a need for judicial intervention with respect to this discovery. However, the discovery production process remains ongoing. The below-signed attorney respectfully submits that he views those considerations as indicating that the matter should not be closed but that counsel should submit a further status report in 45 days.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Edward W. Floyd
Edward W. Floyd

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